

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TRIMBLE NAVIGATION LIMITED,

No. C-03-1604 PJH (EDL)

Plaintiff,

**ORDER DENYING WITHOUT
PREJUDICE PLAINTIFF'S MOTION TO
COMPEL ANSWERS TO
INTERROGATORIES**

v.

RHS, INC. ET AL.,

Defendants.

On December 1, 2006, Plaintiff Trimble Navigation Limited filed a motion to compel Defendants Satloc LLC, CSI Wireless Inc. and RHS, Inc. to provide answers to Plaintiff's Interrogatories Nos. 2 through 9. Defendants filed an opposition on December 19, 2006, and Plaintiff filed a reply on December 22, 2006. The Court finds the matter suitable for decision without oral argument, and rules as follows:

The contention interrogatories at issue are premature at this early stage of discovery, and need not be answered until after substantial documentary or testimonial discovery has been completed. See Fed. R. Civ. Proc. 33(c). Plaintiff has not met its burden to show that compelling answers to its interrogatories would contribute materially to the efficiency of case development before substantial discovery has been completed. In re Convergent Techs. Secs. Litig., 108 F.R.D. 328, 338 (N.D.

1 Cal., 1985). The Court does not reach the issue of whether certain issues raised in the
2 interrogatories are no longer relevant to the action. The parties are advised, however, that
3 allegations made to the Court about defenses must be unequivocally disavowed, e.g., in a
4 declaration, to render discovery directed at those defenses irrelevant.

5 For the foregoing reasons, Plaintiff's motion to compel answers to Interrogatories Nos. 2-9 is
6 DENIED without prejudice.

7 The hearing on the motion to compel set for January 9, 2007 is hereby VACATED.

8 This Order disposes of Docket No. 121.

9 IT IS SO ORDERED.

10 Dated: December 27, 2006

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge